

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

SANDRA F. REYNOLDS,)	
)	
Plaintiff,)	Case No.: 4:14-cv-00036
)	
v.)	<u>ORDER</u>
)	
SOCIAL SECURITY)	By: Hon. Jackson L. Kiser
ADMINISTRATION,)	Senior United States District Judge
)	
Defendant.)	

Before me is the *Report and Recommendation* of the United States Magistrate Judge recommending that I enter an Order granting the Commissioner's Motion for Summary Judgment [ECF No. 15], denying Plaintiff's Motion for Summary Judgment [ECF No. 14] and dismissing this case. This *Report* was filed on April 1, 2015, from which date the parties had fourteen (14) days to file objections. Plaintiff, who is proceeding *pro se*, filed an objection wherein she contended that the Vocational Expert ("VE") testified that she "would not be able to perform the jobs that [he] told [the ALJ] about . . . not would [Plaintiff] be able to perform any jobs in the economy today." (Pl.'s Obj., Apr. 20, 2015 [ECF No. 20].) While that is an accurate representation of *part* of the VE's testimony (see R. 42), it is not the operative part of the VE's testimony. Rather, when the ALJ presented the VE with a hypothetical that mirrored the ALJ's determination of Plaintiff's residual functional capacity, he testified that there *were* sedentary jobs in the national economy that Plaintiff could perform. (See R. 39–41.) As such, the VE's testimony *does* support the ALJ's decision, and Plaintiff's objection is **OVERRULED**.

Accordingly, it is **ORDERED** and **ADJUDGED** that the *Report and Recommendation* shall be, and hereby is, **ADOPTED** in its entirety. The Commissioner's Motion for Summary

Judgment is **GRANTED**, Plaintiff's Motion for Summary Judgment is **DENIED**, and this case is hereby **DISMISSED**. The Clerk is directed to dismiss this case from the active docket of this Court.

The Clerk is directed to send a copy of this Order to Magistrate Judge Hoppe and all counsel of record.

ENTERED this 22nd day of May, 2015.

s/Jackson L. Kiser

SENIOR UNITED STATES DISTRICT JUDGE